

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RETIREMENT BOARD OF THE
POLICEMEN'S ANNUITY AND
BENEFIT FUND OF THE CITY
OF CHICAGO, *et al.*,

Plaintiffs,

-against-

THE BANK OF NEW YORK MELLON,

Defendant.
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11 Civ. 5459 (WHP)

ORDER

WILLIAM H. PAULEY III, District Judge:

This Court is presented with three discovery disputes:

1. Privilege Log Dispute (ECF No. 136)

Plaintiffs' request this Court compel BNYM produce documents withheld on
privilege grounds or allow Plaintiffs to designate up to 100 documents for in camera review.
Parties' Joint Letter, ECF No. 136.

This Court is unable to determine on the submitted record whether Plaintiffs'
arguments have merit. Therefore, within seven days of the date of this Order, Plaintiffs shall
designate fifty documents listed on Defendant's privilege log for this Court to review in camera.

Within fourteen days of receipt of Plaintiffs' designations, Defendant shall submit
the designated documents ex parte to this Court. Defendant's submission shall include a brief
explanation as to why each document is privileged, describe the relationships between the
individual drafters, senders, and recipients and the litigating parties, and demonstrate the
maintenance of confidentiality.

2. Deposition Notices Dispute (ECF No. 137)

Plaintiffs request this Court quash Fed. R. Civ. P. 30(b)(6) deposition notices served on Plaintiffs on December 26, 2013. Parties' Joint Letter, ECF No. 137. This Court denies Plaintiffs' request.

3. Fourth Set of Document Requests Dispute (ECF No. 138)

Plaintiffs seek to compel BNYM to produce documents requested in Plaintiffs' Fourth Set of Document Requests. Parties' Joint Letter, ECF No. 138. This Court denies Plaintiffs' request at this time. Plaintiffs are invited to renew their request after this Court rules on Defendant's Motion to Dismiss.

The Clerk of Court is directed to terminate the discovery disputes pending at ECF Nos. 136, 137, and 138.

Dated: February 14, 2014
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

All Counsel of Record